

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

**NATIONAL RIFLE ASSOCIATION OF
AMERICA,**

Plaintiff,

v.

**ANDREW CUOMO, both individually and in
his official capacity; MARIA T. VULLO, both
individually and in her official capacity; and
THE NEW YORK STATE DEPARTMENT
OF FINANCIAL SERVICES,**

Defendants.

NO. 18-CV-00566-TJM-CFH

**THE NATIONAL RIFLE ASSOCIATION OF AMERICA’S
NOTICE OF MOTION FOR THE ISSUANCE OF LETTERS OF REQUEST**

PLEASE TAKE NOTICE that pursuant to the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters (“Hague Evidence Convention”), 28 U.S.C. § 1781, Rule 28 of the Federal Rules of Civil Procedure, and the Evidence (Proceedings in Other Jurisdictions) Act 1975 c. 34, Plaintiff National Rifle Association of America (“NRA”), by its undersigned counsel of record, will, and hereby does, move the Court before the Honorable Christian F. Hummel, in the United States District Court, Northern District of New York, Albany, New York, on a date to be designated by the Court, for the issuance of Letters of Request for International Judicial Assistance to compel the production of documents by the Corporation of Lloyd’s (“Lloyd’s”), AmTrust Syndicates Limited, Argo Managing Agency Limited, Atrium Underwriters Limited, Brit Syndicates Limited, Canopus Managing Agents Limited, Chaucer Syndicates Limited, Liberty Managing Agents Limited, S.A. Meacock & Company Limited, Tokio Marine Kiln Syndicates Limited (collectively, the “Managing Agents”) and the deposition of the

following individuals: Inga Beale; Mark Cloutier; Jon Hancock; Charles Franks; and a representative from each of the Managing Agents.

The NRA makes this motion on the grounds that Lloyd's, the Managing Agents, and the above-listed individuals have the evidence sought in the proposed request for judicial assistance, the evidence sought may not be obtained by other means, and the evidence sought is relevant to the NRA's claims and Defendants' defenses.

In support of its motion, the NRA relies on its memorandum of law, the Declaration of John Canoni and accompanying exhibits, all other pleadings and papers on file in this action, any matters of which this Court may take judicial notice, and such further evidence and argument as may be presented at or before the hearing on this matter.

The parties held a conference with the Court regarding the issues presented in this motion on August 15, 2019.

Date: August 23, 2019

Respectfully submitted,

By: s/ William A. Brewer III
William A. Brewer III (Bar No. 700217)
wab@brewerattorneys.com
Sarah B. Rogers (Bar No. 700207)
sbr@brewerattorneys.com
John C. Canoni (Bar No. 515899)
jcanoni@brewerattorneys.com
BREWER, ATTORNEYS &
COUNSELORS
750 Lexington Avenue, 14th Floor
New York, New York 10022
Telephone: (212) 489-1400
Facsimile: (212) 751-2849

**ATTORNEYS FOR THE NATIONAL
RIFLE ASSOCIATION OF AMERICA**

CERTIFICATE OF SERVICE

I certify that on August 23, 2019, I caused a copy of the foregoing to be served upon the following counsel electronically through the ECF system:

William A. Scott
Assistant Attorney General, Of Counsel
New York State Attorney General's Office
Albany Office
The Capitol Albany, New York
12224-0341

*ATTORNEY FOR ANDREW M. CUOMO AND
THE NEW YORK DEPARTMENT OF FINANCIAL
SERVICES*

Debra L. Greenberger
Elizabeth S. Saylor
Andrew G. Celli, Jr.
600 Fifth Avenue at Rockefeller Center, 10th Floor
New York, New York 10020

ATTORNEYS FOR MARIA T. VULLO

/s/ Sarah B. Rogers

Sarah B. Rogers